

been shown by the petitioners; for the publication of a libel, supposing Mr. de Plevitz to have been guilty of such publication, would be an offence cognisable by the ordinary tribunals of the Colony, and consequently not one in which the Governor could with propriety be expected to resort to the use of the exceptional powers possessed by him.

If Mr. de Plevitz has violated the law, he is amenable to punishment by the law. If he has not done so, he is entitled to enjoy in Mauritius the same liberty of speech and action which he would possess in any other part of Her Majesty's dominions. His Excellency must therefore decline to have recourse to the arbitrary measure which the petitioners desire him to adopt.

The petitioners are undoubtedly entitled to form their own opinions with respect to the conduct of public affairs, and, as long as they transgress the provisions of no law, to express those opinions in any form which they may think proper. His Excellency does not therefore feel called upon to notice the criticisms of the petitioners upon the course pursued by the Government in this matter, a course which, although adopted in entire accordance with the highest legal authorities in the Colony, does not appear to have been so fortunate as to obtain the approbation of the petitioners.

But as one to whom the honour and good repute of the Colony are not indifferent, the Governor cannot refrain from giving expression to the regret with which he has perceived the statement, that "none of the petitioners blame the conduct of Mr. Jules Lavoquer," who has lately been found guilty of an assault, with premeditation, and lying in wait, upon the person of Mr. de Plevitz.

He finds it difficult to believe, even on their own assertion, that among the numerous body who have signed the petition none are found to blame the deliberate commission of a breach of the peace, none who perceive that when charges are met not by argument but by violence, a weight is at once given to those charges which they would not otherwise possess, and a notoriety and circulation afforded them which they would not otherwise attain —none who feel the disgrace which such proceedings reflect on a community where they are practised with impunity, or who understand that their toleration would produce grave mischief not only through

their direct effects, but from the impressions unfavourable to the colony to which they would elsewhere inevitably give rise.

If, however, this statement, so far as the petitioners themselves are concerned, be unfortunately well founded, his Excellency is confident that they do not, in this respect, represent the community on whose behalf they have undertaken to speak.

On the contrary, for the credit of Mauritius, he rejoices to believe that almost every man of intelligence, education, and good feeling in the Colony is as fully aware as himself that dignity and self-respect are best asserted by calmness and moderation, that violence, even when not unprovoked, must be at once repressed by the strong hand of justice, that freedom of discussion and argument is indispensable to the development of a community, and that without them it would be difficult to bring to light even minor administrative abuses, or to effect their reform; nor could he, without injustice, suppose that they fail to recognise, with him, the danger, the injustice, and the folly of proceedings such as those which the petitioners recommend, and those of which, though forbidden by the law, they do not hesitate to approve.

I have the honour to be,

Sir,

Your most obedient servant,

EDWARD NEWTON,  
Colonial Secretary.

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